

PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4 + Attachments

| | |
|----------------------|--------------------------|
| Application Number | 09/403,071 |
| Filing Date | January 13, 2000 |
| First Named Inventor | Takuya Nishimura, et al. |
| Art Unit | 2134 |
| Examiner Name | Tongoc Tran |
| Attorney Docket No. | MTS-V03176 |

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
- ☐ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication
to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below):
- Return Postcard

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

| | | | |
|-------------------------|-------------------------|-----------------------------------|--------|
| Firm or Individual Name | Daniel N. Calder | Registration No. (Attorney/Agent) | 27,424 |
| Signature | <i>Daniel N. Calder</i> | | |
| Printed Name | Daniel N. Calder | | |
| Date | October 18, 2004 | | |

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|-------------------------|------|------------------|
| Signature | <i>Daniel N. Calder</i> | | |
| Typed or Printed Name | Daniel N. Calder | Date | October 18, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/403,071
Applicant: T. Nishimura et al.
Filed: January 13, 2000
Title: DIGITAL AV DATA TRANSMITTING UNIT, DIGITAL AV DATA
RECEIVING UNIT, DIGITAL AV DATA TRANSCIEIVING SYSTEM,
AND MEDIUM
TC/A.U.: 2134
Examiner: T. Tran
Confirmation No.: 6807
Docket No.: MTS-V03176

**PETITION UNDER 37 C.F.R. §1.181 FOR
CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT
AND ACKNOWLEDGEMENT OF CLAIM OF FOREIGN PRIORITY**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Applicants filed an Information Disclosure Statement (IDS) on October 13, 1999 and a Supplemental Information Disclosure Statement (Supplemental IDS) on February 6, 2004. A copy of both the IDS and Supplemental IDS, as filed and a copy of the return postcards evidencing receipt of the IDS and Supplemental IDS by the PTO is enclosed. These Information Disclosure Statements, although properly filed, have not been considered.

Applicants request that the Examiner acknowledge all of the references cited in Applicants' IDS filed October 13, 1999 and that the Examiner also acknowledge Applicants' Supplemental IDS filed February 6, 2004. In addition, the Examiner has

not acknowledged in the Notice of Allowability, Applicants' claim of foreign priority and Applicants therefore request that such acknowledgement be made.

In the IDS filed October 13, 1999, Applicants indicate that the enclosed references, while not in the English language, were cited by a foreign patent office in a counterpart foreign application. Thus under MPEP 609A(3), a concise explanation is therefore satisfied by an English language version of the Search Report which requires that the Examiner acknowledge that he has considered the identified references. Applicants therefore request that the Examiner consider and acknowledge consideration of such references by returning to Applicants a copy of the Form PTO-1449 attached to the IDS filed October 13, 1999.

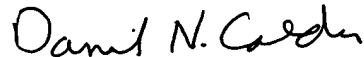
In addition, the Examiner has not returned the Form PTO-1449 attached to Applicants Supplemental IDS filed October 6, 2004. Applicants request that the Examiner consider and acknowledge these references by returning to Applicants the Form PTO-1449.

Further, the Notice of Allowability issued October 7, 2004 does not acknowledge Applicants' claim of foreign priority, that the subject application is a US National Phase Application of PCT International Application PCT-JP-99-00533. Thus, certified copies of the priority documents have been provided in the National Stage Application from the International Bureau. Such should be acknowledged by the Examiner in a Supplemental Notice of Allowability.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS, Supplemental IDS, and Supplemental Notice of Allowability have been considered.

Respectfully submitted,

RatnerPrestia



Daniel N. Calder, Reg. No. 27,424
Attorney for Applicants

DNC/ds

Enclosures: IDS and PTO-1449 as previously filed
Supplemental IDS and PTO-1449 as previously filed
Copy of returned postcards
Notice of Allowance

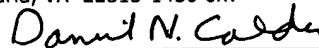
Dated: October 18, 2004

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 18, 2004

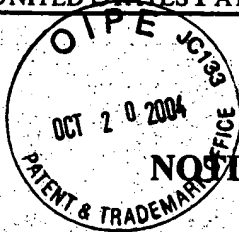




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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

10/07/2004

RATNER & PRESTIA
ONE WESTLAKES BERWYN
PO BOX 980 SUITE 301
VALLEY FORGE, PA 194820980

RECEIVED

OCT 12 2004

RatnerPrestia

EXAMINER

TRAN, TONGOC

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 10/07/2004

Issue & Pub Fees due (3005) 1/7/05 LNP

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/403,071 | 01/13/2000 | TAKUYA NISHIMURA | MTS-V03176 | 6807 |

TITLE OF INVENTION: DIGITAL AV DATA TRANSMITTING UNIT, DIGITAL AV DATA RECEIVING UNIT, DIGITAL AV DATA TRANSMITTING/RECEIVING UNIT, AND MEDIUM

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1370 | \$0 | \$1370 | 01/07/2005 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

COPY

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (703) 746-4000

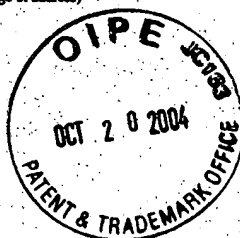
INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

10/07/2004

RATNER & PRESTIA
 ONE WESTLAKES BERWYN
 PO BOX 980 SUITE 301
 VALLEY FORGE, PA 194820980



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/403,071 | 01/13/2000 | TAKUYA NISHIMURA | MTS-V03176 | 6807 |

TITLE OF INVENTION: DIGITAL AV DATA TRANSMITTING UNIT, DIGITAL AV DATA RECEIVING UNIT, DIGITAL AV DATA TRANSMITTING/RECEIVING UNIT, AND MEDIUM

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1370 | \$0 | \$1370 | 01/07/2005 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|--------------|----------|----------------|
| TRAN, TONGOC | 2134 | 380-200000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

| | |
|---|-------|
| 1 | _____ |
| 2 | _____ |
| 3 | _____ |

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/403,071 | 01/13/2000 | TAKUYA NISHIMURA | MTS-V03176 | 6807 |

7590 10/07/2004
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ONE WESTLAKES BERWYN
PO BOX 980 SUITE 301
VALLEY FORGE, PA 194820980



EXAMINER
TRAN, TONGOC

ART UNIT 2134
PAPER NUMBER

DATE MAILED: 10/07/2004

Determination of Patent Term Extension under 35 U.S.C. 154 (b)
(application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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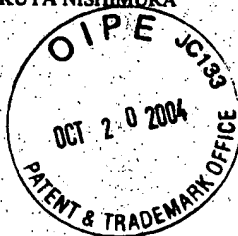


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| | | | | |
|--|-------------|-------------------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/403,071 | 01/13/2000 | TAKUYA NISHIMURA | MTS-V03176 | 6807 |
| 7590 10/07/2004 | | | | |
| RATNER & PRESTIA ONE WESTLAKES BERWYN PO BOX 980 SUITE 301 VALLEY FORGE, PA 194820980 | | | | |
| | | EXAMINER TRAN, TONGOC | | |
| | | ART UNIT PAPER NUMBER 2134 | | |
| DATE MAILED: 10/07/2004 | | | | |



Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because some fees will increase effective October 1, 2004. See Revision of Patent Fees for Fiscal Year 2005; Final Rule, 69 Fed. Reg. 52604, 52606 (May 10, 2004).

The current fee schedule is accessible from WEB site (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), the issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedure (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))..... \$685.00

By other than a small entity..... \$1,370.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))..... \$245.00

By other than a small entity..... \$490.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))..... \$330.00

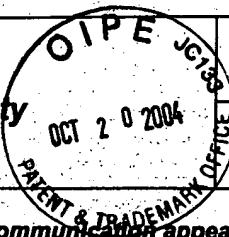
By other than a small entity..... \$660.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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Notice of Allowability



Application No.

09/403,071

Examiner

Tongoc Tran

Applicant(s)

NISHIMURA ET AL.

Art Unit

2134

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to supplementary preliminary amendment filed on 9/3/2004.
2. ☒ The allowed claim(s) is/are 1-3, 5-9, 12, 17, 20, 22, 23 and 31-42.
3. ☒ The drawings filed on 13 October 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☒ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: H10-031,847, H10-151,586, H0-244,825.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

COPY

DETAILED ACTION

1. This office action is in response to Applicant's Request for Continued Examination (RCE) filed on 8/9/2004 and Supplemental Preliminary Amendment filed on 9/3/2004. Claims 1-3, 7-9, 17, 20, 22-23, 31-33 have been amended. Claims 4, 10-11, 13-16, 18-19, 21, 24-30 and 43 have been cancelled. Claims 1-3, 5-9, 12, 17, 20, 22, 23, and 31-42 are pending.

Allowable Subject Matter

2. *Claims 1-3, 5-9, 12, 17, 20, 22, 23 and 31-42 are allowed.*

The following is an examiner's statement of reasons for allowance:

The present invention is directed to providing authentication between digital AV data units including at least a data significance deciding means for deciding the significant degree of digital AV data and plurality of authentication rules storing means. The cited prior art, Okuyama et al (U.S. Patent No. 5,987,126), Ekushingu (JP Patent No. 08-214090) and Al-Tuwaijry ("High Speed RSA Processor", 1991), fail to teach "the public and secret keys or the common key are used for transmitting a sole single key from a transmission unit to a plurality of receiving units depending on the security level, such that the sole single key does not depend on the respective receiving units, and is used when the digital AV data is transmitted from the transmitting unit to the receiving units, and if the first rule or the second rule is selected by the transmitting-side authenticating means, the digital AV data encrypted using the transmitted sole single key is transmitted from the transmitting unit to the receiving units".

COPY

The art of record either singularly or in combination, do not anticipate or render the above underline claimed limitation obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tongoc Tran whose telephone number is (703) 305-7690 or (571) 272-3842 after 10/21/2004. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (703) 308-4789 or (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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Application/Control Number: 09/403,071
Art Unit: 2134

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Page 4

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

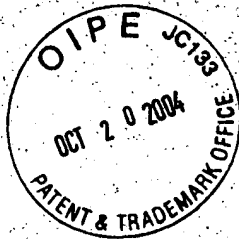
Examiner: Tongoc Tran
Art Unit: 2134

TT

September 28, 2004


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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524 Rec'd PCT/PTD 13 OCT 1999

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October 13 1999

U.S. Commissioner of Patents & Trademarks

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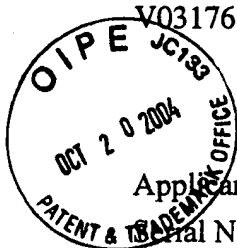
FILE NO. MFS 463176 FEE DUE? YES NO AMT ENCD \$3252.00 \$260

NAME: T. Murakami et al.

DOCUMENTS Intl Appln as filed (10 pg), (15) drawings,
English translation of Intl Appln (100 pg), (15) drawings,
Form 1386(2), IDS Form 1449, (9) References, Intl Search Report,
unpublished doc/per, check Filing Amendment (6 pg)
(3)

New Nat'l Phase Appln.

09/403071



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Takuya Nishimura et al. : Art Unit:
Serial No.: To Be Assigned : Examiner:
Filed: Herewith :
FOR: DIGITAL AV DATA TRANSMITTING :
UNIT, DIGITAL AV DATA RECEIVING :
UNIT, DIGITAL AV DATA :
TRANSCIVING SYSTEM, AND MEDIUM

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

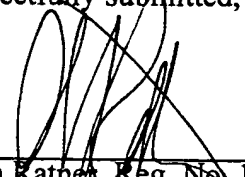
The enclosed references are not in the English language, but were cited by a foreign patent office in a counterpart foreign application. Under MPEP 609A(3) where the non-English language information was cited in a counterpart foreign application search report, the requirement for a concise explanation can be

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satisfied by an English language version of the search report. A copy of this English language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith.

This information disclosure statement is being filed with the above-referenced application. No fee or certification is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,



Allan Rather, Reg. No. 19,717
Attorney for Applicant

AR/lrd

Encls.: PTO Form 1449,

Copy of (9) References

Form 1449

International Search Report (Japanese and English translation)

Dated: October 13, 1999

Suite 301

One Westlakes, Berwyn

P.O. Box 980

Valley Forge, PA 19482-0980

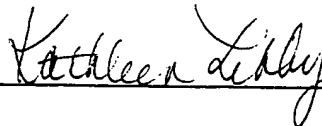
(610) 407-0700

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EXPRESS MAIL Mailing Label Number: EJ914196633US

Date of Deposit: October 13, 1999

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Kathleen Libby

Kathleen Libby

[illegible]

| Exmr Initial | | Document Number | Date | Country | Class | Sub Class | Translation YES NO |
|--------------|--|-----------------|----------|---------|-------|-----------|----------------------|
| | | 8-214090 | 8/20/96 | Japan | | | |
| | | 59-210782 | 11/29/84 | Japan | | | |
| | | 9-107350 | 4/22/97 | Japan | | | |
| | | 10-224752 | 8/21/98 | Japan | | | |
| | | 6-276188 | 9/30/94 | Japan | | | |
| | | 10-302393 | 11/13/98 | Japan | | | |
| | | 10-304333 | 11/13/98 | Japan | | | |
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| | 1 | "Digital rokuga kiki muke fusei copy boushi gijutsu, konshuu saitakue", NIKKEI ELECTRONICS 1997, No. 696, pg. 20 |
| | 2 | Naoki Endou, "IEEE1394 kousoku serial bus ni okeru contents hogo system," Computer Security Symposium, '98, 1998, Vol. 98, No. 12, p. 119-124. |
| | 3 | Japanese language International Search Report for Int'l Appln No. PCT/JP99/00533 dated May 18, 1999. |
| | 4 | English translation of Japanese language international Search Report. |

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|----------|-----------------|
| Examiner | Date Considered |
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USPTO Form 1449 [R&P]

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Date: Feb. 6, 2004 ✓

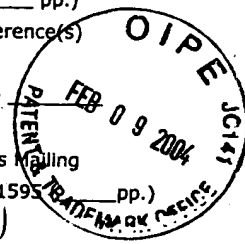
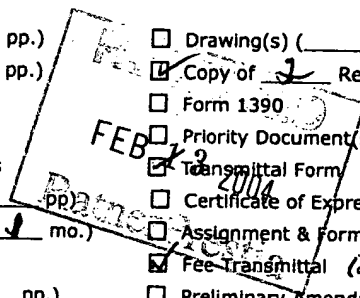
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FILE NO.: mts-V03176 FEE DUE? ☒ YES or NO AMT. ENC'D. \$ 110.00

NAME: T. Nishimura et al.

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| <input type="checkbox"/> Specification (____ pp.) | <input type="checkbox"/> Drawing(s) (____ pp.) |
| <input checked="" type="checkbox"/> IDS & PTO 1449 (<u>4</u> pp.) | <input checked="" type="checkbox"/> Copy of <u>2</u> Reference(s) |
| <input type="checkbox"/> Copy of Search Report | <input type="checkbox"/> Form 1390 |
| <input type="checkbox"/> Claim to Right of Priority | <input type="checkbox"/> Priority Document(s) |
| <input type="checkbox"/> Response to Missing Parts | <input checked="" type="checkbox"/> Transmittal Form |
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| <input checked="" type="checkbox"/> Petition for Ext. of Time (<u>1</u> mo.) | <input type="checkbox"/> Assignment & Form 1595 (____ pp.) |
| <input type="checkbox"/> Utility Transmittal | <input checked="" type="checkbox"/> Fee Transmittal (<u>2</u>) |
| <input checked="" type="checkbox"/> Amendment (<u>16</u> pp.) | <input type="checkbox"/> Preliminary Amendment (____ pp.) |
| <input type="checkbox"/> Issue Fee/Publication Fee | <input type="checkbox"/> Formal Drawing(s) (____ pp.) |
| <input type="checkbox"/> Response to OA (____ pp.) | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | Serial No.: <u>09/403,071</u> |



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/403,071
Applicant: T. Nishimura et al.
Filed: January 13, 2000
Title: DIGITAL AV DATA TRANSMITTING UNIT, DIGITAL AV DATA RECEIVING
UNIT, DIGITAL AV DATA TRANSCEIVING SYSTEM, AND MEDIUM
TC/A.U.: 2134
Examiner: T. Tran

FURTHER TO INFORMATION DISCLOSURE
STATEMENT FILED OCTOBER 13, 1999

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is further disclosure with respect to the Information Disclosure Statement (IDS) filed October 13, 1999.

In the Information Disclosure Statement, filed October 13, 1999, Applicants' attorney enclosed a partial English translation of JP 8-214090. On further review, Applicants believed that the document should be fully translated.

Applicants are also enclosing a complete English translation of an IEEE 1394 document, which was submitted in the same IDS filed October 13, 1999.

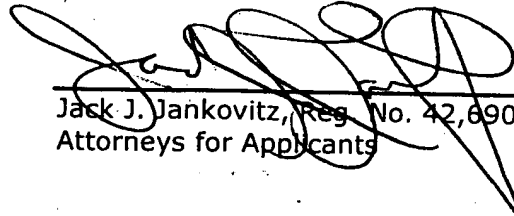
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This Further Information Disclosure Statement is being filed together with the Response to the Office Action dated October 6, 2003.

Respectfully submitted,



Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/ds

Enclosures: PTO Form 1449
Complete English Translation of JP 8-214090
Complete English Translation of IEEE 1394
Transmittal Form

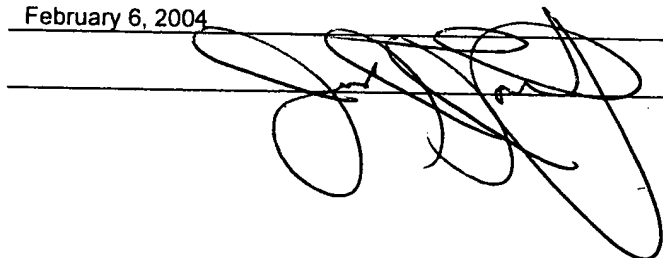
Dated: February 6, 2004

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Valley Forge, PA 19482-0980
(610) 407-0700

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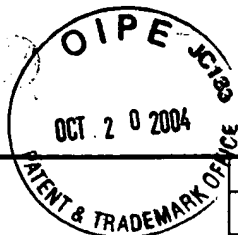
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February 6, 2004



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(AW 08/03)

Substitute for Form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 09/403,071 |
| Filing Date | January 13, 2000 |
| First Named Inventor | T. Nishimura et al. |
| Art Unit | 2134 |
| Examiner Name | T. Tran |
| Attorney Docket No. | MTS-V03176 |

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|-----------------------|--------------------------|--|-------------------------------------|
| | | Naoki Endou, "IEEE1394 kousoku serial bus ni okeru contents hogo system," Computer Security Symposium, '98, 1998, Vol. 98, No. 12, p. 119-124 (Complete English Translation) | <input checked="" type="checkbox"/> |
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| Examiner Signature | Date Considered |
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¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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